

Before the
Federal Communications Commission
Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)
)
Amendment of Section 73.202(b),)
Table of Allotments,) MM Docket No. 01-305
FM Broadcast Stations,) RM-10310
(San Isidro, Texas))

To: Chief, Allocations Branch
Policy and Rules Division
Mass Media Bureau

COMMENTS OF SOUND INVESTMENTS UNLIMITED, INC.

1. Sound Investments Unlimited, Inc. ("Sound Investments") is the licensee of FM radio broadcast station KCTM, Rio Grande City, Texas. By a *Petition for Rule Making* ("*Petition*") filed August 8, 2001, Jeraldine Anderson has requested the allotment of Channel 247A at San Isidro, Texas, as a first aural transmission service for that community. San Isidro is located on FM Road 755, in Starr County, Texas, approximately 30 miles North of Rio Grande City.

2. On October 19, 2001, the Commission released its *Notice of Proposed Rule Making* (MM Docket No. 01-305, RM-10310) ("*Notice*"), contemplating the proposed amendment of the FM Table of Allotments to allot Channel 247A to San Isidro, Texas. In the *Notice*, the Commission requested comments from the public on its proposal. *Notice* at

3. Sound Investments herewith submits these Comments in opposition to the proposed allotment.

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3. San Isidro is little more than a wide spot in the road. It does not qualify for status as a “community” for allotment purposes. For example, with respect to health care services, inhabitants of San Isidro depend on the Starr County Memorial Hospital, which is located in Rio Grande City. Moreover, the area has no police of its own; rather, San Isidro residents rely on the Starr County Sheriff’s Department for police protection. KCTM’s C2 facility serves the San Isidro area already.

4. As the Commission observes in its *Notice*, San Isidro is not listed as an incorporated community in the *Rand McNally Commercial Atlas & Marketing Guide* (“*Rand McNally*”). *Notice* at 3. Moreover, the 1990 U.S. Census does not list San Isidro as a city, town, or even as a census designated place.¹ Petitioner therefore bears the burden of citing other factors sufficient to demonstrate that San Isidro should be considered a community for the purpose of a broadcast channel allotment. *Id.*

5. As the Commission has noted, *Rand McNally* lists the population of San Isidro at the round number of 500 persons. *Notice* at 3. This number does not represent people who actually live in the agglomeration of San Isidro, but rather includes residents of ranches and colonias in the area. Thus, *Rand McNally* overstates the population of San Isidro, to the extent that one could even guess at its boundaries. In fact, Petitioner herself pegs the population of San Isidro at only 160 people. *Petition* at 1.

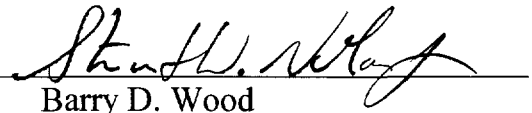
¹ *Id.* Petitioner claims that San Isidro is now a Census Designated Place. *Petition* at 1. Nevertheless, many CDP’s are just rural areas not entitled to their own radio allotments.

6. San Isidro lacks the civic and cultural institutions that would indicate community status. There is not even any substantial business community there. San Isidro has, at most, only a handful of small, “mom and pop” business establishments. *See Declaration of Gustavo Valadez, Jr.* attached hereto.

7. In view of the foregoing, Petitioner has failed to satisfy her burden of demonstrating that San Isidro should be a community for allotment purposes. Sound Investments therefore urges the Commission to issue a Report and Order denying the instant *Petition*.

Respectfully submitted,

**SOUND INVESTMENTS
UNLIMITED, INC.**

By: 
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Its counsel

Dated: December 10, 2001

DECLARATION OF GUSTAVO VALADEZ, JR.

I, Gustavo Valadez, Jr., am the owner of Sound Investments Unlimited, Inc., licensee of FM radio station KCTM, Rio Grande City, Texas. I am a life-long resident of Starr County. I created KCTM as the first radio station to serve this County. I am in the process of upgrading KCTM to strengthen its signal throughout this area.

I have reviewed the foregoing Comments relating to a Petition to amend the FM Table of Allotments. The Petition contends that San Isidro, Texas, should be considered a community for the purpose of allotment. However, San Isidro does not qualify as an independent community. It does not have so much as a police department or hospital of its own.

In fact, the people who live in the area known as San Isidro rely on Starr County to provide these critical services. The entire area hosts only two or three "mom and pop" businesses. It has few, if any, civic or cultural institutions.

I hereby declare, under penalty of perjury, that the foregoing is true and correct to the best of my personal knowledge.

s/Gustavo Valadez, Jr.

Gustavo Valadez, Jr.

Owner

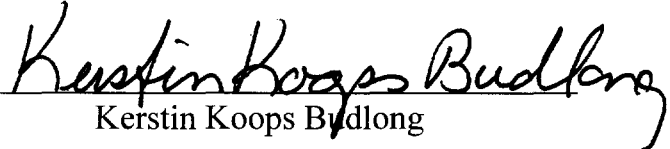
Sound Investments Unlimited, Inc.

Dated: December 10, 2001

CERTIFICATE OF SERVICE

I, Kerstin Koops Budlong, hereby certify that on this date I caused the foregoing "Comments" to be served by U.S. first class mail, postage prepaid, on the following:

Jeraldine Anderson
1702 Cypress Drive
Irving, Texas 75601


Kerstin Koops Budlong

Dated: December 10, 2001